

Appeal Decision

Site visit made on 30 January 2017

by H Baugh-Jones BA(Hons) DipLA MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13th February 2017

Appeal Ref: APP/T0355/D/16/3162433
27 Redriff Close, Maidenhead SL6 4DJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Asheed against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/02536, dated 16 August 2016, was refused by notice dated 6 October 2016.
 - The development proposed is removal of existing outbuilding and garage. Erection of a double storey rear and side extension with integral garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Notwithstanding the description given in the heading above, the appeal scheme actually includes single and two-storey elements and the demolition of a rear conservatory. This is clearly shown on the application plans. Accordingly, I have dealt with the appeal on this basis.

Main Issues

3. The main issues in this appeal are (i) the effect on the character and appearance of the host dwelling and on the street scene; (ii) the effects on the living conditions of the occupier of no. 25 Redriff Close with regard to sunlight; and (iii) whether the proposal would provide sufficient parking.

Reasons

Character and appearance and street scene

4. The appeal property lies next to the turning head of Redriff Close which is a residential cul-de-sac. It is the end dwelling on the northern side of the street and is set within a large plot, most of which extends to the rear.
 5. Dwellings in the street are semi-detached and of similar architectural style. In views from within the street, they have not been subject to any noticeable extensions and an overall uniformity in their form has therefore been maintained.
 6. The side element of the proposed extension would be as wide if not slightly wider than the original front elevation of the dwelling. This would substantially increase its bulk and would be at odds with the proportions of the host dwelling
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and those that surround it. Whilst I accept that the extension would be set back and the effects would therefore be somewhat localised, the proposal would nonetheless fail to maintain an acceptable balance in the dwelling's appearance.

7. Moreover, the inclusion of a mono-pitched roof broadly centrally positioned within the dwelling's front elevation would appear overly complex and would be visually obtrusive. Thus, the proposal would significantly diminish the existing much plainer appearance of the host dwelling which is reflective of the other dwellings in Redriff Close. The harmful effects would be further compounded by the unsympathetic modest size of some of the proposed new windows and their generally non-uniform positioning within the dwelling's front and rear elevations.
8. The existing single-storey garage sits along the tapering side boundary and next to the garage of the next door property, no. 29. This arrangement results in a substantial separation distance between the opposite corners of these dwellings. This is reflected on the other side of the cul-de-sac. Although the proposed extension would be set back, it would increase the height of the dwelling's built form close to the plot boundary, thereby filling in a substantial amount of the space that currently exists beyond its main flank wall. This would be at odds with the characteristic spaciousness between the dwellings in this part of the street.
9. For the above reasons, the proposal would harm the character and appearance of the host dwelling and result in detrimental effects on the Redriff Close street scene. Thus, it would run counter to Policy H14 of The Royal Borough of Windsor and Maidenhead Local Plan (2003) (the LP) that, amongst other things, seeks to avoid such effects. The proposal would also conflict with the overall design objectives set out in LP Policy DG1 and in particular the requirement that development should not harm the character of the surrounding area.

Living conditions

10. There is dispute between the parties over whether the rear part of the proposed extension would breach a 45 degree angle. Whilst this provides a general guide to the effects of a proposal on neighbouring properties, there is nothing within the Council's policies that expressly sets out a requirement for development to adhere to this. Accordingly, there is no clear policy basis for rejecting the appeal scheme for this reason.
11. The Council argues that the proposal conflicts with LP Policy HP14 that also seeks to prevent development from having unacceptable effects on neighbouring properties resulting from loss of light or amenity. However, whilst the Policy refers to 'light', it is unclear whether this means daylight or sunlight. Nevertheless, I have taken it to mean sunlight for the purposes of this appeal based on the wording in the Council's reasons for refusal. Notwithstanding this, taking into account that the rear elevations of the appeal property and its adjoining neighbour face north-west, there can be no effect on the amount of sunlight reaching next door.
12. Whilst not included in the putative reasons for refusal, the Council's officer report suggests that the rear part of the extension would have an overbearing effect on the outlook from no. 29. However, because of the extension's

proposed setback and the right angled juxtaposition of the two dwellings, only very oblique views of the enlarged part of the appeal property would be possible from no. 29.

13. Accordingly, I do not find that the living conditions of either of the neighbouring occupiers would be harmed and the proposal would not conflict with LP Policy H14.

Parking

14. From what I observed at my site visit, and in particular taking into account that the front drive of the appeal property is shared with no. 29, there currently appears to be adequate space for the parking of two cars and the existing garage provides a third. The appeal scheme proposes an additional parking space at the rear
15. The Council argues that a five bedroomed property requires four parking spaces and refers to the standards in the Royal Borough of Windsor and Maidenhead Parking Strategy (2004) (the Parking Strategy). However, the Parking Strategy is based on Planning Policy Guidance Note 13 which has been superseded by the National Planning Policy Framework (the Framework). Moreover, the parking standards within the Parking Strategy are based on maximum parking standards, which the government abolished in 2011.
16. Moreover, notwithstanding the number of parking spaces proposed in the appeal scheme, the Framework is clear that local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network. No such justification has been provided.
17. Accordingly, I give the Parking Strategy standards limited weight and conclude that there is no conflict with LP Policy P4 that requires all development to provide parking in accordance with the adopted standards. As this Policy refers to those adopted standards, I also afford it limited weight.

Conclusion

18. I have not found that the proposal would result in harm to the living conditions of neighbouring occupiers or provide inadequate parking. However, these neutral factors have no bearing on my conclusion that the proposal would harm the character and appearance of the host dwelling and result in detrimental effects on the street scene.
19. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

Hayden Baugh-Jones

Inspector